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THIRD CONFERENCE
ON THE LAW OF THE SEA

Third Session
THIRD COMMITTEE

PROVISIONAL SUMMARY RECORD OF THE TWENTY-FIFTH MEETING

held at the Palais des Nations, Geneva,
on Thursday, 8 May 1975, at 12.30 p.m.

Chairman: Mr. YANKOV Bulgaria
Rapporteur: Mr. MANYANG Sudan

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N.B. Participants wishing to have corrections to this provisional summary record incorporated in the final summary record of the meeting are requested to submit them in writing in quadruplicate, preferably on a copy of the record itself, to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva, within five working days of receiving the provisional record in their working language.

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State Dept. review completed

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DEVELOPMENT AND TRANSFER OF TECHNOLOGY (continued)

Mr. WALKATE (Netherlands) said that the transfer of marine technology was a subject that was under active and continued consideration in the Netherlands. His Government realized that the effective transfer of the appropriate marine technology would greatly reduce the gap between developed and developing countries in marine scientific research and the exploration and exploitation of the sea and its living and non-living resources.

With that in mind, his Government had accepted an invitation from the Secretary-General of the United Nations to be host to a United Nations seminar on the transfer of appropriate marine technology to developing countries, which was to be held towards the end of 1976. The seminar was expected to deal, among other things, with theoretical aspects of marine technology transfer, specific marine technology projects, environmental aspects of sea-bed exploitation and future activities relating to the transfer of marine technology. His Government would be making a very substantial contribution to the costs of the seminar, which would probably last seven to ten days.

His delegation believed that a seminar of that kind, during which participants could be informed about new techniques and the technology best suited to their needs, would contribute to a better understanding of, and co-operation in, the transfer of marine technology.

DRAFT STATEMENT ON THE WORK OF THE THIRD COMMITTEE

The CHAIRMAN drew attention to the statement on the work of the Third Committee contained in document A/CONF.62/C.3/L.32.

Mr. STEINER, Secretary of the Committee, read out some editorial corrections.

Mr. MANYANG (Sudan), rapporteur, said that the statement had been prepared on the same lines as a similar one on the work of the second session. It was a factual description of the activities of the Committee and the work it had accomplished during the present session. The statement was divided into six parts: part I stated when the Committee had been set up and listed its officers during the present session; part II set out the mandate of the Committee; part III described the organization of the Committee's work in both formal and informal meetings; part IV described the work of the informal meetings; part V dealt with the documents before the Committee; and part VI was a request by the Committee for an opportunity to complete its work at a future session. A list of the documents submitted to the Committee was annexed.

The CHAIRMAN said that the statement was not subject to formal approval by the Committee, but was open to comment.

The Committee took note of the statement on the work of the Third Committee (document A/CONF.62/C.3/L.32).

CONCLUDING STATEMENT BY THE CHAIRMAN

The CHAIRMAN thanked the representatives of the International Hydrographic Organization and the Intergovernmental Oceanographic Commission for the valuable information and advice they had provided during the present session.

Summing up the work of the session, he said that the Committee had made a significant advance in the negotiating and drafting process. He was satisfied that it had produced positive results which would have an important bearing on the future work of the Conference. The procedural pattern adopted had proved satisfactory and had greatly enhanced the Committee's work: about eight formal meetings had been held - roughly one a week - the rest being informal meetings within the framework of the Committee as a whole. Long procedural discussions had thus been avoided, there had been no mysterious unofficial groups, and the proceedings had all been open. The informal negotiating groups had made a valuable contribution.

The main features of the session had been: the formal proposals received covering the three items on the Committee's agenda, some of them filling important gaps, as reflected in documents A/CONF.62/C.3/L.15, L.30, L.31 and L.32; the spirit of co-operation and understanding that had prevailed throughout, despite conflicting views; and the constructive negotiations that had led to informally agreed texts which provided a good basis for the different parts of the future convention. A turning-point had been reached in the negotiating process, with the emergence of the will to negotiate.

In accordance with the decision taken at the fifty-fifth plenary meeting, he had transmitted to the President of the Conference a single negotiating text on the three items assigned to the Third Committee. In the accompanying letter he had explained the difficulty of preparing the text, in view of the differing and sometimes conflicting views in the Committee, and his endeavour to reflect as far as possible the views expressed by delegations and to take full account of all the formal and informal proposals presented to the Committee. In cases where he had been compelled to make a choice between differing views, he had done so on his own responsibility. He had also made it clear that the single negotiating text should serve only as a procedural device and a basis for negotiation: it should not in any way affect the status of proposals already made by delegations or be considered as a compromise.

He sincerely hoped that the single negotiating text, as an informal and personal document submitted on the Chairman's responsibility, would not encourage the proliferation of alternatives, but would be a tool leading through amendment and negotiation to the point of agreement.

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With regard to the next stage, further inter-sessional negotiations and exchanges of ideas, on the basis of all the formal and informal proposals that had been submitted, were essential for the success of the next session. He hoped that such negotiations would harmonize points of view and result in generally agreed or compromise texts. It was important to avoid vague and equivocal provisions likely to give rise to conflict in the future: the texts should be precise and clear regarding the rights and duties of States.

He hoped that at the next session the Committee would be able to complete the drafting of articles. Meanwhile, he urged that governments should avoid any unilateral action between the sessions that might hamper the negotiating process. Governments, the General Assembly and interested international organizations should give top priority to the law of the sea. Lastly, he hoped that the members of the Committee would maintain their spirit of compromise and consensus, and their view of the convention as a unified whole.

After expressing his sincere appreciation to the officers and members of the Committee and to the secretariat, he declared that the Third Committee had completed its work for the session.

The meeting rose at 1.10 p.m.

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